

REMARKS

Claims 1-31 stand rejected. Claims 1-31 remain pending in the patent application. Applicant respectfully requests further examination and reconsideration in view of the remarks set forth below. Applicant respectfully submits that the amendments herein to the patent application do not add new matter to it.

35 U.S.C. §112 Rejections

The present Office Action alleges that "Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Applicant respectfully submits that Claim 4 as herein amended renders this objection moot.

35 U.S.C. §102 Rejections

Claims 1, 13 and 25 are rejected under 35 U.S.C. §102(e) as being anticipated by Jakubowski, U.S. Patent Application Publication No.: 2002/0143821 (hereinafter Jakubowski). Claims 1, 2, 13 and 14 are rejected under 35 U.S.C. §102(e) as being anticipated by Mogul, U.S. Patent No.: 6,704,798 (hereinafter Mogul).

CLAIM 1

Applicant respectfully contends that Jakubowski and Mogul each fails to teach or suggest subject matter recited in newly amended independent Claim 1. For instance, amended Claim 1 recites in part (emphasis added):

determining if said transcoding proxy server is storing a file, wherein said file comprises an annotation rule set;

provided said transcoding proxy server is not storing said file, said transcoding proxy server not transcoding said web page element and transmitting said web page element to said portable computing device;

Applicant respectfully asserts that Jakubowski and Mogul each does not teach or suggest the above recited combination of elements as specifically recited in amended Claim 1. Since Jakubowski and Mogul each fails to teach or suggest at least one element recited in amended Claim 1, Applicant respectfully contends that Jakubowski and Mogul each does not anticipate the subject matter recited in amended Claim 1. Therefore, Applicant respectfully submits that amended Claim 1 is allowable over Jakubowski and Mogul.

CLAIMS 13 and 25

Applicant respectfully asserts that the subject matter of amended independent Claims 13 and 25 are not anticipated by Jakubowski or Mogul based on rationale similar to that discussed above with reference to amended independent Claim 1. Therefore, Applicant respectfully submits amended Claims 13 and 25 are allowable over Jakubowski and Mogul.

CONCLUSION

In light of the above listed remarks, Applicant respectfully requests reconsideration of rejected Claims 1-31.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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Dated: Nov. 23, 2004

A handwritten signature in black ink, appearing to read 'Thomas M. Catale', written over a horizontal line.

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